

FILED
U.S. DISTRICT COURT
DISTRICT OF WYOMING

2013 JUN 4 PM 2 19

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING
JENNIFER HARRIS, CLERK
CHEYENNE

POWELL VALLEY HEALTH CARE,
INC.,

Plaintiff,

vs.

HEALTHTECH MANAGMENT
SERVICES, INC.,

Defendant/Crossclaimant,

vs.

PAUL CARDWELL and MICHAEL J.
PLAKE,

Defendants/Cross Defendants.

Case No. 12-CV-42-F

ORDER ON STATUS CONFERENCE

On June 4, 2013, the Court held a status conference in the above-captioned matter to discuss with the parties how this case should progress given its recent Order Granting Summary Judgment as well as Defendant Cardwell's ongoing absence from these proceedings. Counsel participating were Bradley Cave and Joanna Vilos for Plaintiff Powell Valley Health Care ("PVHC") and Crossclaimant HealthTech Management Services

(“HealthTech”), Robert Horn and Robert York for Defendant Cardwell, and Michael Reese for Defendant Plake.

In its ruling on summary judgment, the Court disposed of all claims in this matter with the exception of HealthTech’s claim for punitive damages. While the Court found punitive damages were warranted as a matter of law, it did not address the proper amount of punitive damages as this award lies within the province of the jury. There are no other claims that require a jury’s consideration at this stage of the proceedings.

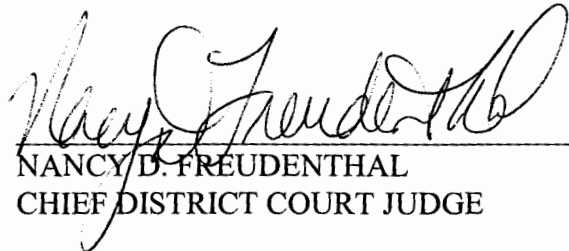
On request from counsel, the Court will set a date certain by which HealthTech will file a report regarding its punitive damages claim given the Court’s ruling as well as Defendant Cardwell’s flight from the jurisdiction of this Court. Mr. York and Mr. Horn represent to the Court that Defendant Cardwell’s whereabouts remain unknown and that they have had no communication with their client since August of last year.

WHEREFORE, IT IS ORDERED that Crossclaimant HealthTech shall file a report on or before **June 24, 2013**, outlining how it desires to resolve its punitive damages claim.

IT IS FURTHER ORDERED that responses may be filed in accordance with the Local Rules but in no event later than **July 8, 2013**.

IT IS FINALLY ORDERED that the current dates for the final pretrial and trial in this matter are VACATED. Trial dates may be reset depending on HealthTech's wishes as communicated in the above-referenced report.

Dated this 4 day of June, 2013.


NANCY D. FREUDENTHAL
CHIEF DISTRICT COURT JUDGE